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11 Attorneys for Defendant T-MOBILE USA, INC.

12 13 AUG 26 AM 10:59  
13 CLERK U.S. DISTRICT COURT  
14 CENTRAL DISTRICT OF CALIF.  
15 LOS ANGELES

16 FILED

17  
18 **UNITED STATES DISTRICT COURT**  
19 **CENTRAL DISTRICT OF CALIFORNIA**

20 **WESTERN DIVISION**

21 **CV13- 6233 MWF (CW)**  
22 Case No.:

23 SEANA GOODSON,

24 Plaintiff,

25 DEFENDANT T-MOBILE USA, INC.'S  
26 NOTICE OF REMOVAL

27 v.

28 T-MOBILE USA, INC.,

29 Defendant.

30  
31 **NOTICE OF REMOVAL**

32 Pursuant to 28 U.S.C. §§ 1331, 1367, 1441, and 1446, Defendant T-Mobile  
33 USA, Inc. ("T-Mobile") hereby notices its removal of the civil action styled *Seana*  
34 *Goodson v. T-Mobile USA, Inc.*, Case No. 13K09843 (the "State Court Action"), from  
35 the Superior Court of the State of California for the County of Los Angeles (the "State  
36 Court") to the United States District Court for the Central District of California,  
37 Western Division. In support of its Notice of Removal, T-Mobile respectfully shows  
38 the Court the following:

39 1. Plaintiff Seana Goodson ("Plaintiff") commenced this lawsuit by filing a  
40 "Complaint for Violation of Rosenthal Fair Debt Collection Practices Act and Federal

1 Fair Debt Collections Practices Act" (the "Complaint") on July 18, 2013, in the State  
 2 Court. Plaintiff served T-Mobile with a Summons and a copy of the Complaint on  
 3 July 25, 2013 through personal service upon its registered agent for service of process.

4 2. Plaintiff asserts claims against T-Mobile for alleged violation of the  
 5 federal Telephone Consumer Protection Act (the "TCPA") (47 U.S.C. § 227) and the  
 6 Rosenthal Fair Debt Collection Practices Act (the "Rosenthal Act") (Cal. Civ. Code §  
 7 1788). (Compl. ¶ 1).

8 3. As set forth in more detail below, removal of the State Court Action to  
 9 this Court is proper because this Court has jurisdiction over this action pursuant to 28  
 10 U.S.C. § 1331 (federal question jurisdiction) and 28 U.S.C. § 1367 (supplemental  
 11 jurisdiction), and all other requirements of 28 U.S.C. §§ 1441 and 1446 are satisfied.

12 **FEDERAL QUESTION JURISDICTION**

13 4. Under 28 U.S.C. § 1331, federal courts have original jurisdiction over  
 14 any civil case "arising under the Constitution, laws, or treaties of the United States."  
 15 28 U.S.C. § 1331.

16 5. Plaintiff's Complaint falls squarely within this grant of jurisdiction  
 17 because it includes a claim under the TCPA, a federal statute. (Compl. ¶¶ 1, 14-19).  
 18 The United States Supreme Court has made clear that federal question jurisdiction  
 19 exists over claims under the TCPA. *Mims v. Arrow Fin. Servs., LLC*, 132 S.Ct. 740,  
 20 747 (2012) ("Congress did not deprive federal courts of federal-question jurisdiction  
 21 over private TCPA suits.").

22 6. Because Plaintiff's TCPA claim arises under the laws of the United  
 23 States, this Court has original jurisdiction over that claim. 28 U.S.C. § 1331.

24 **SUPPLEMENTAL JURISDICTION**

25 7. Under 28 U.S.C. § 1367, "in any civil action of which the district courts  
 26 have original jurisdiction, the district courts shall have supplemental jurisdiction over  
 27 all other claims that are so related to claims in the action within such original  
 28 jurisdiction that they form part of the same case or controversy under Article III of the

1 United States Constitution.” 28 U.S.C. § 1367(a).

2       8. Plaintiff’s claim for violation of the TCPA is so related to Plaintiff’s  
3 claim for violation of the Rosenthal Act that it forms part of the same case or  
4 controversy under Article III of the United States Constitution. *See* 28 U.S.C. §  
5 1367(a). In fact, Plaintiff admits that the two claims are “ancillary” to one another  
6 (Compl. ¶ 1) and bases both claims on the exact same factual allegations. (Compl. ¶¶  
7 4-11).

8       9. Thus, the Court has supplemental jurisdiction over Plaintiff’s Rosenthal  
9 Act claim pursuant to 28 U.S.C. § 1367.

10     10. Accordingly, this case is properly removable pursuant to 28 U.S.C. §§  
11 1331 and 1367.

12      ALL OTHER REQUIREMENTS FOR REMOVAL ARE SATISFIED

13     11. In addition to the jurisdictional requirements discussed above, 28 U.S.C.  
14 §§ 1441 and 1446 also set forth certain procedural requirements with respect to  
15 removal. *See* 28 U.S.C. §§ 1441(a), 1446. As set forth below, T-Mobile has satisfied  
16 these requirements.

17     12. Venue is proper in this Court under 28 U.S.C. § 84(c)(2) because the  
18 United States District Court for the Central District of California, Western Division, is  
19 the federal judicial district embracing the Superior Court of the State of California for  
20 the County of Los Angeles where the State Court Action was filed.

21     13. T-Mobile files this Notice of Removal within thirty (30) days of service  
22 of Plaintiff’s Complaint in the State Court Action. *See* 28 U.S.C. § 1446(b).

23     14. Pursuant to 28 U.S.C. § 1446(a), T-Mobile attaches hereto as Exhibit “A”  
24 a copy of all processes, pleadings, and orders served on T-Mobile in the State Court  
25 Action.

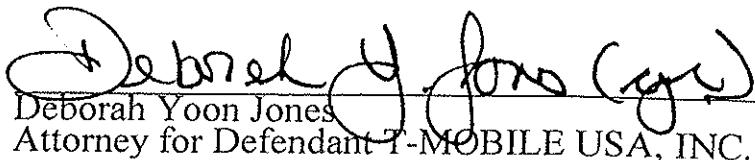
26     15. Pursuant to 28 U.S.C. § 1446(d), T-Mobile will serve copies of this  
27 Notice of Removal on Plaintiff’s counsel and file the same with the State Court clerk.

28     For these reasons, this Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and

1 1367, and removal pursuant to 28 U.S.C. §§ 1441 and 1446 is proper.  
2

3 DATED: August 26, 2013

4 DEBORAH YOON JONES  
5 ALSTON & BIRD LLP

6   
7 Deborah Yoon Jones  
8 Attorney for Defendant T-MOBILE USA, INC.

# Exhibit A



C O R P O R A T I O N S E R V I C E C O M P A N Y

## Notice of Service of Process

WCE / ALL

Transmittal Number: 11424613  
Date Processed: 07/26/2013

**Primary Contact:** Beth Crowder  
T-Mobile USA, Inc.  
12920 SE 38th Street  
Bellevue, WA 98006

**Copy of transmittal only provided to:** Jerry Bentley

---

<b>Entity:</b>	T-Mobile USA, Inc. Entity ID Number 1951208
<b>Entity Served:</b>	T-Mobile USA, Inc.
<b>Title of Action:</b>	Seana Goodson vs. T-Mobile USA, Inc.
<b>Document(s) Type:</b>	Summons/Complaint
<b>Nature of Action:</b>	Violation of State/Federal Act
<b>Court/Agency:</b>	Los Angeles County Superior Court, California
<b>Case/Reference No:</b>	13K09843
<b>Jurisdiction Served:</b>	California
<b>Date Served on CSC:</b>	07/25/2013
<b>Answer or Appearance Due:</b>	30 Days
<b>Originally Served On:</b>	CSC
<b>How Served:</b>	Personal Service
<b>Sender Information:</b>	Todd M. Friedman 877-206-4741

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Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC  
CSC is SAS70 Type II certified for its Litigation Management System.  
2711 Centerville Road Wilmington, DE 19808 (888) 690-2882 | [sop@cscinfo.com](mailto:sop@cscinfo.com)

SUM-100

SUMMONS  
(CITACION JUDICIAL)NOTICE TO DEFENDANT:  
(A VISO AL DEMANDADO):

T-MOBILE USA, INC.

YOU ARE BEING SUED BY PLAINTIFF:  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

SEANA GOODSON

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)  
**CONFORMED COPY**  
ORIGINAL FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

JUL 18 2013

John A. Clarke, Executive Officer/Clerk  
BY John A. Clarke, Deputy  
Anabelia Figueroa

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lee la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito debe que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.suerte.ca.gov](http://www.suerte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le queda más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.suerte.ca.gov](http://www.suerte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es): Superior Court of Los AngelesCASE NUMBER:  
(Número del Caso): **13.K09843**

111 North Hill St.

Los Angeles, CA 90012

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:  
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):  
Todd M. Friedman, 369 S. Doheny Dr., #415, Beverly Hills, CA 90211, 877-206-4741DATE:  
(Fecha) **JUL 18 2013**Clerk, by \_\_\_\_\_ Deputy \_\_\_\_\_  
(Secretario) \_\_\_\_\_ (Adjunto) \_\_\_\_\_(For proof of service of this summons, use the Proof of Service of Summons (form POS-010).  
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1.  as an individual defendant.  
2.  as the person sued under the fictitious name of (specify):

T-Mobile USA, Inc.

3.  on behalf of (specify):

under:  CCP 416.10 (corporation)  
 CCP 416.20 (defunct corporation)  
 CCP 416.40 (association or partnership)  
 other (specify):

CCP 416.60 (minor)  
 CCP 416.70 (conservatee)  
 CCP 416.90 (authorized person)

4.  by personal delivery on (date):

1 Todd M. Friedman (216752)  
2 Nicholas J. Bontrager (252114)  
3 Suren N. Weerasuriya (278512)  
4 Law Offices of Todd M. Friedman, P.C.  
5 369 S. Doheny Dr. #415  
6 Beverly Hills, CA 90211  
7 Phone: 877-206-4741  
8 Fax: 866-633-0228  
9 tfriedman@attorneysforconsumers.com  
10 nbontrager@attorneysforconsumers.com  
11 sweerasuriya@attorneysforconsumers.com  
12 Attorneys for Plaintiff

CONFORMED COPY  
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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

JUL 18 2013

John A. Clarke, Executive Officer/Clerk  
BY Stephanie Figueroa, Deputy  
Stephanie Figueroa

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES  
LIMITED JURISDICTION

12 ) Case No. 13K09843  
13 )  
14 ) SEANA GOODSON,  
15 ) Plaintiff,  
16 ) vs.  
17 ) T-MOBILE USA, INC.,  
18 ) Defendant.  
19 )  
20 )  
21 )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )

) COMPLAINT FOR VIOLATION  
) OF ROSENTHAL FAIR DEBT  
) COLLECTION PRACTICES ACT AND  
) FEDERAL FAIR DEBT COLLECTION  
) PRACTICES ACT  
)  
(Amount not to exceed \$10,000)  
)  
1. Violation of Rosenthal Fair Debt  
Collection Practices Act  
2. Violation of Telephone Consumer  
Protection Act

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Rosenthal Fair Debt Collection Practices Act, Cal Civ Code §1788, *et seq.* (hereinafter "RFDCPA") which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices. Ancillary to the claims above, Plaintiff further alleges claims for

1 Defendant's violations of the Telephone Consumer Protection Act., 47 U.S.C. §227, *et seq.*  
2 (hereinafter "TCPA").

3 **II. PARTIES**

4 2. Plaintiff, SEANA GOODSON ("Plaintiff"), is a natural person residing in Los  
5 Angeles county in the state of California, and is a "consumer" as defined by the FDCPA, 15  
6 U.S.C. §1692a(3) and is a "debtor" as defined by Cal Civ Code §1788.2(h).

7 3. At all relevant times herein, Defendant, T-MOBILE USA, INC. ("Defendant")  
8 was a company engaged, by use of the mails and telephone, in the business of collecting a debt  
9 from Plaintiff which qualifies as a "consumer debt," as defined by Cal Civ Code §1788.2(f).  
10 Defendant regularly attempts to collect debts alleged to be due and therefore is a "debt  
11 collector" as defined by the RFDCPA, Cal Civ Code §1788.2(c).

12 **III. FACTUAL ALLEGATIONS**

13 4. At various and multiple times prior to the filing of the instant complaint,  
14 including within the one year preceding the filing of this complaint, Defendant contacted  
15 Plaintiff in an attempt to collect an alleged outstanding debt.

16 5. On or about January 2013, Defendant called Plaintiff on numerous occasions  
17 regarding an alleged debt and often called Plaintiff three to four times in one day.

18 6. Defendant used an automatic dialing system when calling Plaintiff. Plaintiff  
19 received phone calls from Plaintiff that were pre-recorded and not a live person.

20 7. On January 30, 2013, Plaintiff's counsel sent a written notice of representation  
21 and request for validation of the debt to Defendant. Defendant has denied any wrongdoing at  
22 this time.

8. §1788.17 of the RFDCPA mandates that every debt collector collecting or  
2 attempting to collect a consumer debt shall comply with the provisions of Sections 1692b to  
3 1692j, inclusive, of, and shall be subject to the remedies in Section 1692k of, Title 15 of the  
4 United States Code statutory regulations contained within the FDCPA, 15 U.S.C. §1692d, and  
5 §1692d(5).

7. Defendant's conduct violated the RFDCPA in multiple ways, including but not  
8 limited to:

- 10 a) Engaging in conduct the natural consequence of which is to  
11 harass, oppress, or abuse Plaintiff (§1692d);
- 12 b) Causing a telephone to ring repeatedly or continuously to annoy  
13 Plaintiff (Cal Civ Code §1788.11(d));
- 14 c) Communicating, by telephone or in person, with Plaintiff with  
15 such frequency as to be unreasonable and to constitute an  
16 harassment to Plaintiff under the circumstances (Cal Civ Code  
§1788.11(e));
- 17 d) Causing Plaintiff telephone to ring repeatedly or continuously  
18 with intent to harass, annoy or abuse Plaintiff (§1692d(5)); and
- 19 e) Communicating with Plaintiff at times or places which were  
20 known or should have been known to be inconvenient for  
Plaintiff (§1692c(a)(1)).

21 10. Defendant's conduct violated the TCPA by:

22

- 23 a) using any automatic telephone dialing system or an artificial or pre-  
24 recorded voice to any telephone number assigned to a paging service,  
25 cellular telephone service, specialized mobile radio service, or other  
radio common carrier service, or any service for which the called party is  
charged for the call (47 USC §227(b)(A)(iii)).

27 11. As a result of the above violations of the RFDCPA, and TCPA, Plaintiff  
28 suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation,

1 embarrassment, mental anguish and emotional distress, and Defendant is liable to Plaintiff for  
2 Plaintiff's actual damages, statutory damages, and costs and attorney's fees.

3  
4 **COUNT I: VIOLATION OF ROSENTHAL**  
**FAIR DEBT COLLECTION PRACTICES ACT**

5 12. Plaintiff reincorporates by reference all of the preceding paragraphs.

6 13. To the extent that Defendant's actions, counted above, violated the RFDCPA,  
7 those actions were done knowingly and willfully.

8  
9 **PRAYER FOR RELIEF**

10 WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant  
11 for the following:

12  
13 A. Actual damages;  
14 B. Statutory damages for willful and negligent violations;  
15 C. Costs and reasonable attorney's fees,  
16 D. For such other and further relief as may be just and proper.

17  
18 **COUNT II: VIOLATION OF TELEPHONE CONSUMER PROTECTION**  
**ACT**

19 14. Plaintiff incorporates by reference all of the preceding paragraphs.

20 15. The foregoing acts and omissions of Defendant constitute numerous and  
21 multiple negligent violations of the TCPA, including but not limited to each and every one of  
22 the above cited provisions of 47 U.S.C. § 227 *et seq.*

23 16. As a result of Defendant's negligent violations of 47 U.S.C. § 227 *et seq.*,  
24 Plaintiff is entitled an award of \$500.00 in statutory damages, for each and every violation,  
25 pursuant to 47 U.S.C. § 227(b)(3)(B).

26 17. The foregoing acts and omissions of Defendant constitute numerous and  
27 multiple knowing and/or willful violations of the TCPA, including but not limited to each and  
28 every one of the above cited provisions of 47 U.S.C. § 227 *et seq.*

18. As a result of Defendant's knowing and/or willful violations of 47 U.S.C. § 227

1 *et seq.*, Plaintiff is entitled an award of \$1,500.00 in statutory damages, for each and every  
2 violation, pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

3 19. Plaintiff is entitled to and seek injunctive relief prohibiting such conduct in the  
4 future.

5 PRAYER FOR RELIEF

6 WHEREFORE, Plaintiff respectfully submits this amended complaint to reclassify the  
7 case from limited jurisdiction to unlimited jurisdiction as the demand amount is over \$25,000.  
8

9 WHEREFORE, Plaintiff respectfully prays that judgment be entered against the  
10 Defendant for the following:

11 A. As a result of Defendant's negligent violations of 47 U.S.C. §227(b)(1),  
12 Plaintiff is entitled to and requests \$500 in statutory damages, for each  
13 and every violation, pursuant to 47 U.S.C. 227(b)(3)(B);  
14 B. As a result of Defendant's willful and/or knowing violations of 47 U.S.C.  
15 §227(b)(1), Plaintiff is entitled to and requests treble damages, as  
16 provided by statute, up to \$1,500, for each and every violation, pursuant  
17 to 47 U.S.C. §227(b)(3)(B) and 47 U.S.C. §227(b)(3)(C); and  
18 C. Any and all other relief that the Court deems just and proper.

19 PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY

20 Respectfully submitted this 10<sup>th</sup> day of June, 2013.

21 By:

22 Todd M. Friedman, Esq.  
23 Law Offices of Todd M. Friedman, P.C.  
24 Attorney for Plaintiff

<b>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):</b> Todd M. Friedman, Esq. SBN 216752 Law Offices of Todd M. Friedman 369 S. Doheny Dr. #415 Beverly Hills, CA 90211 TELEPHONE NO.: 877-206-4741 <b>ATTORNEY FOR (Name):</b> Plaintiff, Seana Goodson		<b>FAX NO.:</b> 866-633-0228
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> Los Angeles <b>STREET ADDRESS:</b> 111 North Hill St. <b>MAILING ADDRESS:</b> <b>CITY AND ZIP CODE:</b> Los Angeles, 90012 <b>BRANCH NAME:</b>		
<b>CASE NAME:</b> Seana Goodson v. T-Mobile USA, Inc.		
<b>CIVIL CASE COVER SHEET</b>		<b>Complex Case Designation</b>
<input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input checked="" type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		<input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)
<i>Items 1-6 below must be completed (see instructions on page 2).</i>		

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**SUPERIOR COURT OF CALIFORNIA**  
**COUNTY OF LOS ANGELES**

JUL 18 2013

John A. Clarke, Executive Officer/Clerk  
**Sigillan**  
 Deputy  
 Amalia Figueroa

CASE NUMBER:

13K09843

JUDGE:

DEPT:

1. Check one box below for the case type that best describes this case: <b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input checked="" type="checkbox"/> Other non-PI/PD/WD tort (35) <b>Employment</b> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (08) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation</b> (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
--	--	---

2. This case  is  not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a.  Large number of separately represented parties      d.  Large number of witnesses  
 b.  Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve      e.  Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court  
 c.  Substantial amount of documentary evidence      f.  Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a.  monetary      b.  nonmonetary; declaratory or injunctive relief      c.  punitive

4. Number of causes of action (specify): 3

5. This case  is  not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: June 10, 2013

Todd M. Friedman

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

Form Adopted for Mandatory Use  
 Judicial Council of California  
 CM-010 (Rev. July 1, 2007)

**CIVIL CASE COVER SHEET**

Cal. Rules of Court, rules 2.30, 3.220, 3.400-3.403, 3.740;  
 Cal. Standards of Judicial Administration, std. 3.10  
[www.courtinfo.ca.gov](http://www.courtinfo.ca.gov)

American LegalNet, Inc.  
[www.FormsWorkflow.com](http://www.FormsWorkflow.com)

## INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

## CASE TYPES AND EXAMPLES

Auto Tort	Contract	Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)
Auto (22)–Personal Injury/Property	Breach of Contract/Warranty (06)	Antitrust/Trade Regulation (03)
Damage/Wrongful Death	Breach of Rental/Lease	Construction Defect (10)
Uninsured Motorist (46) ( <i>If the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto</i> )	Contract (not unlawful detainer or wrongful eviction)	Claims Involving Mass Tort (40)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death)	Contract/Warranty Breach–Seller	Securities Litigation (28)
Tort	Plaintiff (not fraud or negligence)	Environmental/Toxic Tort (30)
Asbestos (04)	Negligent Breach of Contract/ Warrant	Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)
Asbestos Property Damage	Other Breach of Contract/Warranty	Enforcement of Judgment
Asbestos Personal Injury/ Wrongful Death	Collections (e.g., money owed, open book accounts) (09)	Enforcement of Judgment (20)
Product Liability (not asbestos or toxic/environmental) (24)	Collection Case–Seller Plaintiff	Abstract of Judgment (Out of County)
Medical Malpractice (45)	Other Promissory Note/Collections Case	Confession of Judgment (non-domestic relations)
Medical Malpractice– Physicians & Surgeons	Insurance Coverage (not provisionally complex) (18)	Sister State Judgment
Other Professional Health Care Malpractice	Auto Subrogation	Administrative Agency Award (not unpaid taxes)
Other PI/PD/WD (23)	Other Coverage	Petition/Certification of Entry of Judgment on Unpaid Taxes
Premises Liability (e.g., slip and fall)	Other Contract (37)	Other Enforcement of Judgment Case
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)	Contractual Fraud	Miscellaneous Civil Complaint
Intentional Infliction of Emotional Distress	Other Contract Dispute	RICO (27)
Negligent Infliction of Emotional Distress	Real Property	Other Complaint (not specified above) (42)
Other PI/PD/WD	Eminent Domain/Inverse Condemnation (14)	Declaratory Relief Only
Non-PI/PD/WD (Other) Tort	Wrongful Eviction (33)	Injunctive Relief Only (non-harassment)
Business Tort/Unfair Business Practice (07)	Other Real Property (e.g., quiet title) (26)	Mechanics Lien
Civil Rights (e.g., discrimination, false arrest) (not civil harassment) (08)	Writ of Possession of Real Property	Other Commercial Complaint Case (non-tort/non-complex)
Defamation (e.g., slander, libel) (13)	Mortgage Foreclosure	Other Civil Complaint (non-tort/non-complex)
Fraud (16)	Quiet Title	Miscellaneous Civil Petition
Intellectual Property (19)	Other Real Property (not eminent domain, landlord/tenant, or foreclosure)	Partnership and Corporate Governance (21)
Professional Negligence (25)	Unlawful Detainer	Other Petition (not specified above) (43)
Legal Malpractice	Commercial (31)	Civil Harassment
Other Professional Malpractice (not medical or legal)	Residential (32)	Workplace Violence
Other Non-PI/PD/WD Tort (35)	Drugs (38) ( <i>If the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential</i> )	Elder/Dependent Adult Abuse
Employment	Judicial Review	Election Contest
Wrongful Termination (36)	Asset Forfeiture (05)	Petition for Name Change
Other Employment (15)	Petition Re: Arbitration Award (11)	Petition for Relief From Late Claim
	Writ of Mandate (02)	Other Civil Petition
	Writ–Administrative Mandamus	
	Writ–Mandamus on Limited Court	
	Case Matter	
	Writ–Other Limited Court Case Review	
	Other Judicial Review (39)	
	Review of Health Officer Order	
	Notice of Appeal–Labor Commissioner Appeals	

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

13.K09843

In re Los Angeles Superior Court Cases General ) Case No.:  
Order - Limited Jurisdiction (Non-Collections) )  
Cases ) GENERAL ORDER  
)  
)  
)  
)  
)

TO EACH PARTY AND TO THE ATTORNEY OF RECORD FOR EACH PARTY:

Pursuant to the California Code of Civil Procedure, the California Rules of Court, and the Los Angeles County Court Rules, the COURT HEREBY GENERALLY ORDERS AS FOLLOWS IN THIS ACTION:

1. PLAINTIFF/S IS/ARE ORDERED TO SERVE A COPY OF THIS  
GENERAL ORDER ON THE DEFENDANT/S WITH COPIES OF THE SUMMONS  
AND COMPLAINT AND TO FILE PROOF OF SERVICE, AS MANDATED IN THIS  
ORDER. (Code Civ. Proc., § 594, subd. (b).)

2. The Court sets the following trial date in this case in Department 77 at the Stanley Mosk Courthouse, 111 North Hill Street, Los Angeles, CA 90012:

POS: 1 2 1 2014 TRIAL: 1 2 0 2015 OSC: 2 1 8 2016

**TRIAL:**

• Date: \_\_\_\_\_ at 8:30 a.m.

**SERVICE OF SUMMONS AND COMPLAINT**

27       3.     The trial date set forth above is conditioned on the defendant/s being served  
28 with the summons and complaint within six (6) months of the filing of the complaint. The

**GENERAL ORDER - 1**

1 trial date will be continued to a later date if service is not accomplished within six (6)  
2 months. The parties may stipulate to keep the original trial date even if service of the  
3 summons and complaint is not completed within six (6) months of the filing of the original  
4 complaint.

5 4. The summons and complaint shall be served upon the defendant/s within three  
6 (3) years after the complaint is filed in this action. (Code Civ. Proc., § 583.210, subd. (a).)  
7 Failure to comply will result in dismissal, without prejudice, of the action, as to all unserved  
8 parties who have not been dismissed as of that date. (Code Civ. Proc., § 581, subd. (b)(4).).  
9 The dismissal as to the unserved parties, without prejudice, for this case shall be effective on  
10 the following date:  
11

12  
13 **UNSERVED PARTIES DISMISSAL DATE**  
14  
15

16 POS: 1 21 2014 TRIAL: 3 20 2015 OSC: 7 18 2016  
17

18 5. No Case Management Review (CMR) will be conducted in this case.  
19

20 **LAW AND MOTION**

21 6. All regularly noticed pre-trial motions will be heard in Department 77 on  
22 Mondays, Tuesdays, Wednesdays, and Thursdays at 8:30 a.m. Motions will require parties  
23 to reserve a hearing date by calling (213) 974-6247. All motions should be filed in Room  
24 102 of the Stanley Mosk Courthouse.  
25

26 7. Tentative rulings may be posted on the Court's internet site at  
27 <http://www.lasuperiorcourt.org/tentativeruling> the day prior to the hearing.  
28

GENERAL ORDER - 2

1 EX PARTE APPLICATIONS

2 8. Ex parte applications should be noticed for 1:30 p.m. in Department 77. All  
3 applications must be filed by 1:00 p.m. in Room 102 of the Stanley Mosk Courthouse.  
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5 JURY FEES

6 9. The fee shall be due no later than 365 calendar days after the filing of the  
7 initial complaint. (Code Civ. Proc., § 631, subds. (b) and (c).)

8 STIPULATION TO CONTINUE TRIAL

9 10. A trial will be postponed if all attorneys of record and/or the parties who have  
10 appeared in the action stipulate in writing to a specific continued date. If the Stipulation is  
11 filed less than five (5) court days before the scheduled trial date, then a courtesy copy of the  
12 stipulation must be filed in Department 77. The stipulation and order should be filed in  
13 Room 102 of the Stanley Mosk Courthouse with the required filing fees. (Code Civ. Proc., §  
14 595.2 and Govt. Code § 70617, subd. (c)(2).)

15 TRIAL

16 11. Parties are to appear on the trial date ready to go to trial, and must meet and  
17 confer on all pretrial matters at least 20 calendar days before the trial date. On the day of  
18 trial the Parties shall bring with them to Department 77 all of the following:  
19

20 i. Joint Statement of the Case;  
21 ii. Motions in Limine, which must be served and filed in accordance with the  
22 Local Rules of the Los Angeles Superior Court (LASC), see local rule 3.57;  
23 iii. Joint Witness List disclosing the witnesses who will be called what they will  
24 testify to, and how long their testimony will take;  
25 iv. Joint Exhibits in exhibit books, numbered appropriately, and Exhibit List;  
26  
27  
28

1                         v.     Joint Proposed Jury Instructions printed out for the court; and

2                         vi.    Joint Proposed Verdict form(s) printed out for the court.

3                         **12. FAILURE TO COMPLY WITH ANY REQUIREMENT SET FORTH**  
4                         **IN PARAGRAPH 11 ABOVE MAY RESULT IN SANCTIONS OR THE VACATING**  
5                         **OF THE TRIAL DATE. (Los Angeles Superior Court Local Rule 3.37.)**

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7                         GOOD CAUSE APPEARING THEREFORE, IT IS SO ORDERED.

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11                         DATE: March 13, 2013

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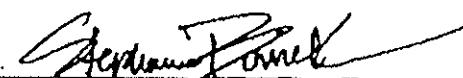
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Hon. Stephanie Bowick  
Judge of the Superior Court

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES  
NOTICE OF CASE PROCEDURES & REQUIREMENTS LIMITED CIVIL  
(NON-COLLECTION) ACTIONS

Case Number: \_\_\_\_\_

THIS FORM WILL BE POSTED IN THE COURTROOM AND ON THE COURT'S WEBSITE

**LIMITED JURISDICTION CASE MANAGEMENT PROCEDURES AND INSTRUCTIONS**

The following critical provisions, as applicable in the Central District are cited for your information:

**TIME STANDARDS:**

**COMPLAINTS:** All complaints should be served and the proof of service filed within 60 days after filing of the complaint.

**CROSS-COMPLAINTS:** Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints against parties new to the action must be served and the proof of service filed within 30 days after the filing of the cross-complaint. A cross-complaint against a party who has already appeared in the action must be accompanied by proof of service of the cross-complaint at the time it is filed (Code Civ. Proc. §428.50).

**DEFAULTS:** (Local Rule 9.10, Cal. Rules of Court, rule 3.110(g)). If a responsive pleading is not served within the time to respond and no extension of time has been granted, the plaintiff should file a Request for Entry of Default within 10 calendar days after the time to respond has elapsed. The plaintiff should request default judgment on the defaulting defendants within 40 calendar days after entry of default. Requests for entry of default judgments will only be considered based upon written submissions.

**NOTICED MOTIONS:** All regularly noticed pre-trial motions will be heard in the Limited Civil Courtroom on Mondays, Tuesdays, Wednesdays and Thursdays at 8:30 a.m. and will require parties to reserve a hearing date in Department 77. Motions for Summary Judgment must be identified at the time of reservation. All motions should be filed in Room 102. Tentative rulings may be posted on the Court's internet site, <http://www.lasuperiorcourt.org/tentative> ruling, the day prior to the hearing.

**EX-PARTE MATTERS:** All pre-trial ex-parte applications should be noticed in the Limited Civil Court, Department 77 for 1:30 p.m. Ex parte appearance applications for Department 77 will be heard daily and must be filed by 1:00 p.m. daily in Room 102 on the day of the hearing.

**UNINSURED MOTORISTS CLAIMS:** Delay Reduction Rules do not apply to uninsured motorist claims. The plaintiff must file a Notice of Designation with the Court, identifying the case as an uninsured motorist claim under Insurance Code section 11580.2

2/7/13

## VOLUNTARY EFFICIENT LITIGATION STIPULATIONS

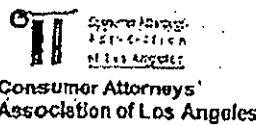


Superior Court of California  
County of Los Angeles



Los Angeles County  
Bar Association  
Litigation Section

Los Angeles County  
Bar Association Labor and  
Employment Law Section



Southern California  
Defense Counsel



Association of  
Business Trial Lawyers



California Employment  
Lawyers Association

The Early Organizational Meeting Stipulation, Discovery Resolution Stipulation, and Motions in Limine Stipulation are voluntary stipulations entered into by the parties. The parties may enter into one, two, or all three of the stipulations; however, they may not alter the stipulations as written, because the Court wants to ensure uniformity of application. These stipulations are meant to encourage cooperation between the parties and to assist in resolving issues in a manner that promotes economic case resolution and judicial efficiency.

*The following organizations endorse the goal of promoting efficiency in litigation and ask that counsel consider using these stipulations as a voluntary way to promote communications and procedures among counsel and with the court to fairly resolve issues in their cases.*

◆ Los Angeles County Bar Association Litigation Section ◆

◆ Los Angeles County Bar Association  
Labor and Employment Law Section ◆

◆ Consumer Attorneys Association of Los Angeles ◆

◆ Southern California Defense Counsel ◆

◆ Association of Business Trial Lawyers ◆

◆ California Employment Lawyers Association ◆

NAME AND LICENSE OF ATTORNEY OR PARTY WITHOUT ATTORNEY	STATE BAR NUMBER	Approved for Court's File Date
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FAX NO. (Optional):	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
<b>STIPULATION – EARLY ORGANIZATIONAL MEETING</b>		CASE NUMBER

This stipulation is intended to encourage cooperation among the parties at an early stage in the litigation and to assist the parties in efficient case resolution.

The parties agree that:

1. The parties commit to conduct an initial conference (in-person or via teleconference or via videoconference) within 15 days from the date this stipulation is signed, to discuss and consider whether there can be agreement on the following:
  - a. Are motions to challenge the pleadings necessary? If the issue can be resolved by amendment as of right, or if the Court would allow leave to amend, could an amended complaint resolve most or all of the issues a demurrer might otherwise raise? If so, the parties agree to work through pleading issues so that a demurrer need only raise issues they cannot resolve. Is the issue that the defendant seeks to raise amenable to resolution on demurrer, or would some other type of motion be preferable? Could a voluntary targeted exchange of documents or information by any party cure an uncertainty in the pleadings?
  - b. Initial mutual exchanges of documents at the "core" of the litigation. (For example, in an employment case, the employment records, personnel file and documents relating to the conduct in question could be considered "core." In a personal injury case, an incident or police report, medical records, and repair or maintenance records could be considered "core.");
  - c. Exchange of names and contact information of witnesses;
  - d. Any insurance agreement that may be available to satisfy part or all of a judgment, or to indemnify or reimburse for payments made to satisfy a judgment;
  - e. Exchange of any other information that might be helpful to facilitate understanding, handling, or resolution of the case in a manner that preserves objections or privilege by agreement;
  - f. Controlling issues of law that, if resolved early, will promote efficiency and economy in other phases of the case. Also, when and how such issues can be presented to the Court;
  - g. Whether or when the case should be scheduled with a settlement officer, what discovery or court ruling on legal issues is reasonably required to make settlement discussions meaningful, and whether the parties wish to use a sitting judge or a private mediator or other options as

NOTICE TITLE:	CASE NUMBER:
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discussed in the "Alternative Dispute Resolution (ADR) Information Package" served with the complaint;

- h. Computation of damages, including documents not privileged or protected from disclosure, on which such computation is based;
- i. Whether the case is suitable for the Expedited Jury Trial procedures (see information at [www.lasuperiorcourt.org](http://www.lasuperiorcourt.org) under "Civil" and then under "General Information").
2. The time for a defending party to respond to a complaint or cross-complaint will be extended to \_\_\_\_\_ for the complaint, and \_\_\_\_\_ for the cross-complaint, which is comprised of the 30 days to respond under Government Code § 68616(b), and the 30 days permitted by Code of Civil Procedure section 1054(a), good cause having been found by the Civil Supervising Judge due to the case management benefits provided by this Stipulation.
3. The parties will prepare a joint report titled "Joint Status Report Pursuant to Initial Conference and Early Organizational Meeting Stipulation, and if desired, a proposed order summarizing results of their meet and confer and advising the Court of any way it may assist the parties' efficient conduct or resolution of the case. The parties shall attach the Joint Status Report to the Case Management Conference statement, and file the documents when the CMC statement is due.
4. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day

The following parties stipulate:

Date:

\_\_\_\_\_  
Date: \_\_\_\_\_ (TYPE OR PRINT NAME)

➤ \_\_\_\_\_ (ATTORNEY FOR PLAINTIFF)

\_\_\_\_\_  
Date: \_\_\_\_\_ (TYPE OR PRINT NAME)

➤ \_\_\_\_\_ (ATTORNEY FOR DEFENDANT)

\_\_\_\_\_  
Date: \_\_\_\_\_ (TYPE OR PRINT NAME)

➤ \_\_\_\_\_ (ATTORNEY FOR DEFENDANT)

\_\_\_\_\_  
Date: \_\_\_\_\_ (TYPE OR PRINT NAME)

➤ \_\_\_\_\_ (ATTORNEY FOR DEFENDANT)

\_\_\_\_\_  
Date: \_\_\_\_\_ (TYPE OR PRINT NAME)

➤ \_\_\_\_\_ (ATTORNEY FOR \_\_\_\_\_)

\_\_\_\_\_  
Date: \_\_\_\_\_ (TYPE OR PRINT NAME)

➤ \_\_\_\_\_ (ATTORNEY FOR \_\_\_\_\_)

\_\_\_\_\_  
Date: \_\_\_\_\_ (TYPE OR PRINT NAME)

➤ \_\_\_\_\_ (ATTORNEY FOR \_\_\_\_\_)

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER	Received by Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FAX NO. (Optional):	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
<b>STIPULATION – DISCOVERY RESOLUTION</b>		CASE NUMBER:

This stipulation is intended to provide a fast and informal resolution of discovery issues through limited paperwork and an informal conference with the Court to aid in the resolution of the issues.

The parties agree that:

1. Prior to the discovery cut-off in this action, no discovery motion shall be filed or heard unless the moving party first makes a written request for an Informal Discovery Conference pursuant to the terms of this stipulation.
2. At the Informal Discovery Conference the Court will consider the dispute presented by parties and determine whether it can be resolved informally. Nothing set forth herein will preclude a party from making a record at the conclusion of an Informal Discovery Conference, either orally or in writing.
3. Following a reasonable and good faith attempt at an informal resolution of each issue to be presented, a party may request an Informal Discovery Conference pursuant to the following procedures:
  - a. The party requesting the Informal Discovery Conference will:
    - i. File a Request for Informal Discovery Conference with the clerk's office on the approved form (copy attached) and deliver a courtesy, conformed copy to the assigned department;
    - ii. Include a brief summary of the dispute and specify the relief requested; and
    - iii. Serve the opposing party pursuant to any authorized or agreed method of service that ensures that the opposing party receives the Request for Informal Discovery Conference no later than the next court day following the filing.
  - b. Any Answer to a Request for Informal Discovery Conference must:
    - i. Also be filed on the approved form (copy attached);
    - ii. Include a brief summary of why the requested relief should be denied;

SHORT TITLE	CASE NUMBER
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- iii. Be filed within two (2) court days of receipt of the Request; and
- iv. Be served on the opposing party pursuant to any authorized or agreed upon method of service that ensures that the opposing party receives the Answer no later than the next court day following the filing.
- c. No other pleadings, including but not limited to exhibits, declarations, or attachments, will be accepted.
- d. If the Court has not granted or denied the Request for Informal Discovery Conference within ten (10) days following the filing of the Request, then it shall be deemed to have been denied. If the Court acts on the Request, the parties will be notified whether the Request for Informal Discovery Conference has been granted or denied and, if granted, the date and time of the Informal Discovery Conference, which must be within twenty (20) days of the filing of the Request for Informal Discovery Conference.
- e. If the conference is not held within twenty (20) days of the filing of the Request for Informal Discovery Conference, unless extended by agreement of the parties and the Court, then the Request for the Informal Discovery Conference shall be deemed to have been denied at that time.

4. If (a) the Court has denied a conference or (b) one of the time deadlines above has expired without the Court having acted or (c) the Informal Discovery Conference is concluded without resolving the dispute, then a party may file a discovery motion to address unresolved issues.

5. The parties hereby further agree that the time for making a motion to compel or other discovery motion is tolled from the date of filing of the Request for Informal Discovery Conference until (a) the request is denied or deemed denied or (b) twenty (20) days after the filing of the Request for Informal Discovery Conference, whichever is earlier, unless extended by Order of the Court.

It is the understanding and intent of the parties that this stipulation shall, for each discovery dispute to which it applies, constitute a writing memorializing a "specific later date to which the propounding [or demanding or requesting] party and the responding party have agreed in writing," within the meaning of Code Civil Procedure sections 2030.300(c), 2031.320(c), and 2033.290(c).

- 6. Nothing herein will preclude any party from applying *ex parte* for appropriate relief, including an order shortening time for a motion to be heard concerning discovery.
- 7. Any party may terminate this stipulation by giving twenty-one (21) days notice of intent to terminate the stipulation.
- 8. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day.

REPORT TITLE:	CASE NUMBER:
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The following parties stipulate:

Date:

Date: \_\_\_\_\_ (TYPE OR PRINT NAME)

- \_\_\_\_\_ (ATTORNEY FOR PLAINTIFF)
- \_\_\_\_\_ (ATTORNEY FOR DEFENDANT)
- \_\_\_\_\_ (ATTORNEY FOR DEFENDANT)
- \_\_\_\_\_ (ATTORNEY FOR DEFENDANT)
- \_\_\_\_\_ (ATTORNEY FOR \_\_\_\_\_)
- \_\_\_\_\_ (ATTORNEY FOR \_\_\_\_\_)
- \_\_\_\_\_ (ATTORNEY FOR \_\_\_\_\_)

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER:	Reserve for Court's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FAX NO. (Optional):	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
<b>INFORMAL DISCOVERY CONFERENCE</b> (pursuant to the Discovery Resolution Stipulation of the parties)		CASE NUMBER:

1. This document relates to:
  - Request for Informal Discovery Conference
  - Answer to Request for Informal Discovery Conference
2. Deadline for Court to decide on Request: \_\_\_\_\_ (Insert date 10 calendar days following filing of the Request).
3. Deadline for Court to hold Informal Discovery Conference: \_\_\_\_\_ (Insert date 20 calendar days following filing of the Request).
4. For a Request for Informal Discovery Conference, briefly describe the nature of the discovery dispute, including the facts and legal arguments at issue. For an Answer to Request for Informal Discovery Conference, briefly describe why the Court should deny the requested discovery, including the facts and legal arguments at issue.

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY		STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO. (Optional):	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>			
COURTHOUSE ADDRESS:			
PLAINTIFF:			
DEFENDANT:			
<b>STIPULATION AND ORDER – MOTIONS IN LIMINE</b>			
			CASE NUMBER

This stipulation is intended to provide fast and informal resolution of evidentiary issues through diligent efforts to define and discuss such issues and limit paperwork.

The parties agree that:

1. At least \_\_\_\_\_ days before the final status conference, each party will provide all other parties with a list containing a one paragraph explanation of each proposed motion in limine. Each one paragraph explanation must identify the substance of a single proposed motion in limine and the grounds for the proposed motion.
2. The parties thereafter will meet and confer, either in person or via teleconference or videoconference, concerning all proposed motions in limine. In that meet and confer, the parties will determine:
  - a. Whether the parties can stipulate to any of the proposed motions. If the parties so stipulate, they may file a stipulation and proposed order with the Court.
  - b. Whether any of the proposed motions can be briefed and submitted by means of a short joint statement of issues. For each motion which can be addressed by a short joint statement of issues, a short joint statement of issues must be filed with the Court 10 days prior to the final status conference. Each side's portion of the short joint statement of issues may not exceed three pages. The parties will meet and confer to agree on a date and manner for exchanging the parties' respective portions of the short joint statement of issues and the process for filing the short joint statement of issues.
3. All proposed motions in limine that are not either the subject of a stipulation or briefed via a short joint statement of issues will be briefed and filed in accordance with the California Rules of Court and the Los Angeles Superior Court Rules.

STIPULATED:	CASE NUMBER:
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**The following parties stipulate:**

Date:

Date: \_\_\_\_\_ (TYPE OR PRINT NAME)

\_\_\_\_\_  
(TYPE OR PRINT NAME)

**THE COURT SO ORDERS.**

Date: \_\_\_\_\_

CASE NUMBER:

- \_\_\_\_\_ (ATTORNEY FOR PLAINTIFF)
- \_\_\_\_\_ (ATTORNEY FOR DEFENDANT)
- \_\_\_\_\_ (ATTORNEY FOR DEFENDANT)
- \_\_\_\_\_ (ATTORNEY FOR DEFENDANT)
- \_\_\_\_\_ (ATTORNEY FOR \_\_\_\_\_)
- \_\_\_\_\_ (ATTORNEY FOR \_\_\_\_\_)
- \_\_\_\_\_ (ATTORNEY FOR \_\_\_\_\_)

JUDICIAL OFFICER

## PROOF OF SERVICE

I, CYNTHIA F. AMBRIZ, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is c/o Alston & Bird LLP, 333 South Hope Street, Sixteenth Floor, Los Angeles, California 90071. I am over the age of eighteen years and not a party to the action in which this service is made.

On August 26, 2013, I served the document(s) described as NOTICE OF REMOVAL on the interested parties in this action by enclosing the document(s) in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I am "readily familiar" with this firm's practice for the collection and the processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, the correspondence would be deposited with the United States Postal Service at 333 South Hope Street, Los Angeles, California 90071 with postage thereon fully prepaid the same day on which the correspondence was placed for collection and mailing at the firm. Following ordinary business practices, I placed for collection and mailing with the United States Postal Service such envelope at Alston & Bird LLP, 333 South Hope Street, Los Angeles, California 90071.

BY ELECTRONIC MAIL TRANSMISSION WITH ATTACHMENT: On this date, I transmitted the above-mentioned document by electronic mail transmission with attachment to the parties at the electronic mail transmission address set forth on the attached service list.

BY FEDERAL EXPRESS  UPS NEXT DAY AIR  OVERNIGHT DELIVERY: I deposited such envelope in a facility regularly maintained by  FEDERAL EXPRESS  UPS  Overnight Delivery [specify name of service: ] with delivery fees fully provided for or delivered the envelope to a courier or driver of  FEDERAL EXPRESS  UPS  OVERNIGHT DELIVERY [specify name of service:] authorized to receive documents at Alston & Bird LLP, 333 South Hope Street, Los Angeles, California 90071 with delivery fees fully provided for.

BY FACSIMILE: I telecopied a copy of said document(s) to the following addressee(s) at the following number(s) in accordance with the written confirmation of counsel in this action.

[State] I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

[Federal] I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 26, 2013, at Los Angeles, California.

Cynthia Ambriz  
Cynthia F. Ambriz

1 Seana Goodson v. T-Mobile USA, Inc.  
2 United States District Court  
3 Central District of California  
4 Western Division  
5 Case No. \_\_\_\_\_

6 **SERVICE LIST**

7 Todd M. Friedman, Esq. Attorneys for Plaintiff  
8 Nicholas J. Bontrager, Esq.  
9 Suren N. Weerasuriya, Esq. Telephone: (877) 206-4741  
10 Law Offices of Todd M. Friedman, P.C. Facsimile: (866) 633-0228  
11 369 South Doheny Drive, # 415 tfriedman@attorneysforconsumers.com  
12 Beverly Hills, CA 90211 nbontrager@attorneysforconsumers.com  
13 sweerasuriya@attorneysforconsumers.com

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Michael W. Fitzgerald and the assigned Magistrate Judge is Carla Woehrle.

The case number on all documents filed with the Court should read as follows:

2:13CV6233 MWF CWx

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

August 26, 2013

Date

By J.Prado

Deputy Clerk

---

NOTICE TO COUNSEL

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

**Subsequent documents must be filed at the following location:**

Western Division  
312 N. Spring Street, G-8  
Los Angeles, CA 90012

Southern Division  
411 West Fourth St., Ste 1053  
Santa Ana, CA 92701

Eastern Division  
3470 Twelfth Street, Room 134  
Riverside, CA 92501

**Failure to file at the proper location will result in your documents being returned to you.**

I. (a) PLAINTIFFS (Check box if you are representing yourself  )

Seana Goodson

DEFENDANTS (Check box if you are representing yourself  )

T-Mobile USA, Inc.

## (b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

Law Offices of Todd M. Friedman, P.C.

369 S. Doheny Dr. #415

Beverly Hills, CA 90211

(877) 206-4741

## (b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

Alston &amp; Bird, LLP

333 S Hope St.

Los Angeles, CA 90071

(213) 576-1000

## II. BASIS OF JURISDICTION (Place an X in one box only.)

 1. U.S. Government Plaintiff 3. Federal Question (U.S. Government Not a Party) 2. U.S. Government Defendant 4. Diversity (Indicate Citizenship of Parties in Item III)III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only  
(Place an X in one box for plaintiff and one for defendant)

PTF	DEF	PTF	DEF
<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4
<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

## IV. ORIGIN (Place an X in one box only.)

 1. Original Proceeding  2. Removed from State Court  3. Remanded from Appellate Court 4. Reinstated or Reopened 5. Transferred from Another District (Specify) 6. Multi-District LitigationV. REQUESTED IN COMPLAINT: JURY DEMAND:  Yes  No (Check "Yes" only if demanded in complaint.)CLASS ACTION under F.R.Cv.P. 23:  Yes  No MONEY DEMANDED IN COMPLAINT: \$ 25,000VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
47 U.S.C. § 227, Cal. Civ. Code § 1788

## VII. NATURE OF SUIT (Place an X in one box only).

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> Habeas Corpus:	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b>	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	<b>PERSONAL INJURY</b>	<b>PERSONAL PROPERTY</b>	<input type="checkbox"/> 530 General	<b>SOCIAL SECURITY</b>
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty Other:	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	<b>BANKRUPTCY</b>	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<b>FORFEITURE/PENALTY</b>	<b>FEDERAL TAX SUITS</b>	
<input checked="" type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609	
<input type="checkbox"/> 893 Environmental Matters	<b>REAL PROPERTY</b>	<input type="checkbox"/> 360 Other Personal Injury	<b>CIVIL RIGHTS</b>	<b>LABOR</b>	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accomodations	<input type="checkbox"/> 740 Railway Labor Act	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Asbestos	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 751 Family and Medical Leave Act	
		<input type="checkbox"/> Personal Injury Product Liability	<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 790 Other Labor Litigation	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY: Case Number:

CV13-6233

AFTER COMPLETING PAGE 1 OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED ON PAGE 2.

## UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

## CIVIL COVER SHEET

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed?  NO  YES

If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case?  NO  YES

If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

(Check all boxes that apply)

- A. Arise from the same or closely related transactions, happenings, or events; or
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
- C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District: <sup>*</sup>	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District: <sup>*</sup>	California County outside of this District; State, if other than California; or Foreign Country
	Washington state

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.  
**NOTE: In land condemnation cases, use the location of the tract of land involved.**

County in this District: <sup>*</sup>	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

**\*Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties**

**Note:** In land condemnation cases, use the location of the tract of land involved

**X. SIGNATURE OF ATTORNEY (OR SELF-REPRESENTED LITIGANT):** *Rebecca M. Pino (cgs)* DATE: 8/26/13

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 if not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))